



## PLANNING COMMITTEE REPORT

<b>PLANNING SUB-COMMITTEE A</b>		
<b>Date:</b>	9 <sup>th</sup> October 2014	Non-exempt

Application number	P2014/0387/FUL
Application type	Full Planning (Council's Own)
Ward	Clerkenwell
Listed building	Unlisted
Conservation area	Not in conservation Area
Development Plan Context	Central Activities Zone, Site within Lv4 Local Protected Views from Archway Road to St.Paul's Cathedral, Key Area –Bunhill & Clerkenwell
Licensing Implications	
Site Address	Michael Cliffe House, Skinner Street, London EC1R
Proposal	Erection of two 700mm [diameter] flues enclosed in proposed screening on the southern elevation of existing 25-storey building.

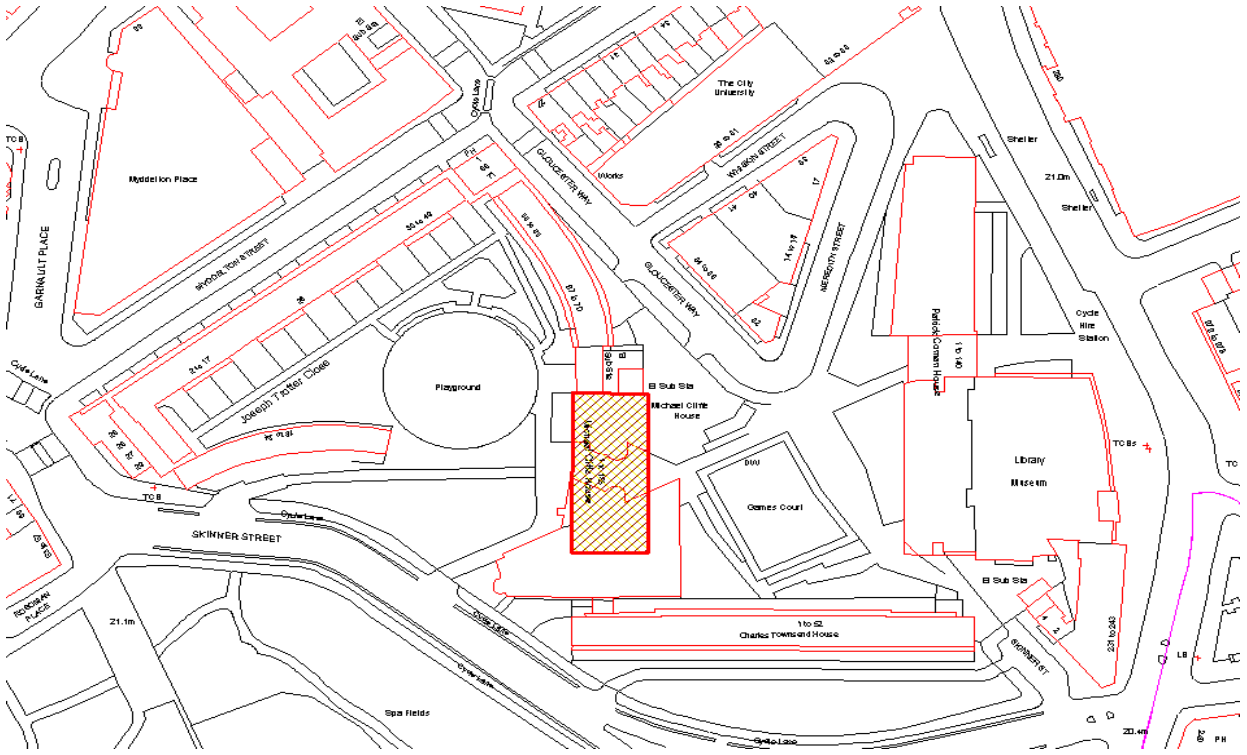
Case Officer	Raymond Yeung
Applicant	London Borough of Islington
Agent	London Borough of Islington - Mr Alan Price

### 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;

### 2. SITE PLAN (site outlined in red)



Plan 2: Site plan with surrounding conservation areas highlighted; Rosebery Avenue (west), New River (north), Northampton Square (north-east) and Clerkenwell Green (south).

3. PHOTOS OF SITE/STREET



Image 1: Ground floor side elevation of Michael Cliffe House facing south



Image 2: Distant view front elevation (facing west) of Michael Cliffe House from Skinner Street



Image 3: Ground floor side elevation of Michael Cliffe House facing south with Patrick Coman House in the background.

## **4. SUMMARY**

- 4.1 The application site is Michael Cliffe House, a council owned high rise tower block in the Finsbury Estate. The council are the applicants. Islington Council has initiated a renewal project to upgrading central heating services and proposals have been developed for providing a new community central heating system to serve the estate. The applicant has stated within their submission that they plan to start installation works in 2014 and to continue for 24 months.
- 4.2 The majority of the new plant and pipe distribution installations will be contained within Council owned buildings and within individual dwellings.
- 4.3 However, exceptions to this are the new arrangements for venting boiler flue gases safely to the outside. Current proposals include for routing 2 x 700mm diameter flue ducts (externally) up the southern elevation of Michael Cliffe House.
- 4.4 The applicant's supporting statement states that there are two fundamental considerations relating to the location of a new central boiler plant installation.

These two considerations are:

- A requirement to reduce the health and safety impacts arising from retaining a roof top central plant installation.
  - Integration of Finsbury Estate into a municipal heat and power network planned for the area in the near future.
- 4.5 It is considered that the proposed design is acceptable in that it would not materially impact upon the appearance of neither the host building nor the surrounding wider area. Although the site is between surrounding conservation areas, it is unlikely that such a proposal would affect the setting of these designated areas.
- 4.6 It is recommended that the application is approved subject to conditions.

## **5. SITE AND SURROUNDING**

- 5.1 The application site concerns Michael Cliffe House, a 25 storey tower block located within the Finsbury Estate, the tower itself is constructed with external concrete grey walls with enclosed balconies and the west and east elevations.
- 5.2 Finsbury Estate includes the following buildings:
- Michael Cliffe House
  - Patrick Coman House
  - Charles Townsend House
  - Joseph Trotter Close
  - Library Building
  - Ground Level and Basement Car Park (disused)
- 5.3 Michael Cliffe House is not listed nor within a Conservation Area. However the height of the building and proposed works on the south-side elevation would be visible from the surrounding conservation areas towards the south (Clerkenwell Green and Rosebery Avenue) as indicated in the above plan.

## **6. PROPOSAL (IN DETAIL)**

- 6.1 The proposal would consist of the erection of two 700mm diameter boiler flue vents on the southern elevation of Michael Cliffe House, a 25-storey residential building within the Finsbury Park. The flue vents would extend vertically for the entire elevation and would be vented above the roof level at approximately 2 metres which would comply with public protection which requires a minimum of 1 metre above.
- 6.2 The proposed flue vents are required as part of upgrades to the central heating system serving Michael Cliff House and Patrick Coman House, which accommodate a total of 328 dwellings.
- 6.3 **Revisions.** Following the original submission of the application, there has been a series of discussions and meetings between the architects and planning and design officers with recommendations made to improve the appearance of the proposal. The revised plans following officer comments include perforated panel screening to the pipes, and the removal of green wall solution at the lower level, which is considered to mitigate the visual impact of the flues which are located on the building.

## **7. RELEVANT HISTORY:**

- 7.1 No particular relevant planning history to this proposal site.

### **ENFORCEMENT:**

- 7.2 There is no enforcement history relevant to the proposal site.

### **PRE-APPLICATION ADVICE:**

- 7.3 Pre-application was sought under reference Q2013/3326/MIN for the erection of two 600mm diameter boiler flue vents on the southern elevation of Michael Cliff House, which concluded that, the proposal would result in an undesirable urban design outcome and the flue vents as shown could not be recommended for planning approval. It was noted and acknowledged that alternative options, including the internal installation of the flue vents and fan dilution, had been considered, however it was considered that the reasons for any alternative options not being pursued would not outweigh the visual harm that would be caused to this prominent and architecturally significant building. It was strongly recommended that other alternatives are considered.
- 7.4 However, the response does acknowledge that it is apparent from the pre-app submission that the location of the flue vents on the southern elevation is the most cost effective and preferred solution. It is further noted that a report prepared by Council's Construction and Fire Safety Manager is supportive of the relocation of the existing plant room from the roof to the ground level, which would necessitate suitable venting of the communal heating plant elsewhere.
- 7.5 Following the pre-application advice, the current proposal has explored other alternatives, and according to their supporting statement, other flue duct treatments have been considered and rejected, which are described below.

## 1. Fan Dilution

Consideration has been given to the introduction of a fan dilution system whereby flue gases are mixed with air to dilute the concentration of CO<sub>2</sub> to acceptable levels, thus allowing the flue gases to be released at street level. With this method of treatment, flue gases produce a large and continuous plume of steam which could be deemed to be a nuisance, particularly as it would be close to street level and clearly visible from a number of perspectives. This has been rejected on the grounds that it is cost prohibitive and could create a significant visual nuisance. A fan dilution system will increase the pre-existing concentrations of NO<sub>x</sub> at street level and the additional motor power required to drive the dilution fans will increase the carbon emission arising from the installation.

## 2. Flues Ducts Routed Inside the Building

An option to route the rising flue ducts to roof level inside the building has been investigated. However, no suitable locations have been identified. Existing circulation routes and landings do not have sufficient space to accommodate two large flue risers' ducts (700mm outside diameter). Routing the flue ducts horizontally to a stair well is not feasible. Accommodating the rising flue ducts inside dwellings or in spaces accessible from the dwellings is not permitted under building regulations. Building regulations Approved Document J, does not permit a common flue duct to be routed through multiple dwellings, where access for maintenance and inspection cannot be readily made.

## 3. The proposed external Flue Duct Risers

The preferred solution to route the flues ducts vertically up the side of Michael Cliffe House, fixed back to the concrete wall structure, is considered to offer the best technical solution.

## 7.6 Advantages and disadvantages have been identified below.

### Advantages:

- A future flue gas leak will not present a health and safety hazard to the building occupiers
- Air pollution impacts at street level will be minimised
- Space can be allocated for a future combined heat and power flue duct.

### Disadvantages:

- The flue installation will be visible from a number of perspectives
- Flue inspections will need to be carried out on a 'cherry picker' up to mid-level and by Qualified abseil operatives for upper levels.

## 8. CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of 486 adjoining and nearby properties and were reconsulted on the amended plans. Site notice and press adverts on the amendments were displayed on 8<sup>th</sup> September 2014. The public consultation of the application therefore expired on 25<sup>th</sup> September 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.



- 8.2 At the time of the writing of this report a total of no responses had been received from the public with regard to the application.

### **Internal Consultees**

- 8.3 Design and Conservation Officer: The proposed pipe work would disrupt the considered composition of the building's elevations and would cause some degree of visual harm. Design and conservation are entirely convinced about the perforated panel. However, it is appreciated that there are public benefits involved in this proposal which need to be balanced as part of the assessment of the proposal.
- 8.4 Public Protection Division (Noise officer): No objections subject to appropriate condition and informatives. There is a new boiler plant planned here in the plant room. As an informative; anti-vibration mounts should be considered for fixings to the main building structure.
- 8.5 Energy Officer: Supports the application. The current heating system at the Finsbury Estate is old, inefficient and now in poor condition. Its replacement with the proposed new system should ensure that residents receive a more reliable source of heat and a better and more controllable level of comfort.

## **9. RELEVANT POLICIES**

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

### **National Guidance**

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

### **Designations**

- 9.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013,

Finsbury Local Plan 2013 and Site Allocations 2013, Central Activities Zone, Key Area-Bunhill & Clerkenwell and within area of Protected Local views.

### **Supplementary Planning Guidance (SPG) / Document (SPD)**

The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

## 10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of the proposal and constraints
- The design and the impact of the proposed pipes and screening on the appearance of the building and the wider neighbourhood.
- Potential impacts to the neighbouring residents
- Energy efficiency and benefits of proposed works for residents

### **Design and Conservation Considerations**

10.2 The Finsbury Estate is nearby heritage assets within the Borough (i.e. New River CA, Roseberry Ave CA, Clerkenwell Green CA, Grade II\* Spa Green Estate, Grade I Finsbury Health Centre, and several other listed buildings). Given its height, Michael Cliffe House, prominent in the immediate surrounding area.

10.3 Despite its scale, the building does have architectural merits. It is a building of its time and its design follows an ordered and considered composition. The proposed pipe work would further exacerbate its prominence.

10.4 It is appreciated that there has been an attempt to develop a more "architectural" solution and to transform it into a feature. However, it is still considered that the proposed pipe work would disrupt the considered composition of the building's elevations and would still cause some degree of visual harm. However, they are located on the side elevation and the disruption has been minimised. Due to its prominence and visibility, it would have a visual impact on the local townscape including the heritage assets. It is appreciated that there are public benefits involved in this proposal which need to be balanced as part of the assessment of the scheme.

10.5 The submitted information satisfies the requirement to demonstrate that the installation of the pipe work is necessary and unavoidable following the applicant's details exploring other alternatives as mentioned in section 7.5 of this report and that the public benefits would outweigh the harm caused by its installation.

10.6 It is acknowledged that Michael Cliffe House is a prominent building within Islington and the proposed flue vents would be highly visible. However, it is considered that the proposed revised plans with the external panelling secured through an appropriate condition to provide additional details of design, colour, materials, samples and detailing to ensure high quality materials and that the visual harm is minimised towards the host building and the local vicinity and within the context, the proposal is considered acceptable.

10.7 Although, not ideal, the pipes would protrude out of the proposed screen at the top. The top of the building would not be as prominent within the surrounding context and on balance is considered to be acceptable taking into account health and safety constraints.

10.8 Subject to conditions, the proposed design, on balance, is considered to comply with policy CS9 which seeks high quality architecture that enhances Islington's built environment and policy DM2.1 in demonstrating architectural design quality and detailing.

## **Neighbouring Amenity**

- 10.9 The pipes would be located close to the balcony balustrades of the flats on the southern elevation.
- 10.10 The proposal projects 1 metre from the main building and is 2 metre width (including screen panelling). It would be located approximately 1.5 metres away from these balconies and is considered that the pipes and screening would not affect the residential amenity of the nearby occupiers.
- 10.11 A condition is proposed to ensure that there will be no disruption from potential noise and vibration from the new flues.

## **Energy Efficiency and Renewable Energy**

- 10.12 The application supporting statement states that the integration of Finsbury Estate within a municipal heat and power network is planned for area in the near future. Both considerations have had a significant influence on the adopted solution and, in particular, the establishment of a new central boiler plant installation at ground level.
- 10.13 A separate report has been produced by Islington Council (Stuart Fuller – Construction and Fire Safety Adviser) which was also submitted as part of the application. The key findings of this report relate to general access for maintenance and emergency access in the event of a fire and to a roof level boiler house installation. The report concludes by identifying that a new ground level boiler room will overcome the limitation and health and safety issues that would remain if a boiler house installation is to be retained on the roof of Michael Cliffe House.
- 10.14 The existing plant room would have to be fully decommissioned and removed before the new plant could be installed. There would be a requirement before the new plant was installed to ensure that the integrity of the existing structure is suitably made good such as ensuring the floors were adequately sealed to prevent possible water ingress.
- 10.15 The proposal would also create space for a future municipal heat and power network, which the applicant state that a municipal heat and power hub scheme, should it proceed, will impact on Finsbury Estate. This would be located in a plant centre located adjacent to the new community heating system boiler house. The CHP unit will require a flue duct and this will need to be routed to termination point above Michael Cliffe House.
- 10.16 With regards to local air quality, Islington Council has declared the whole borough to be an 'Air Quality Action Area' for Nitrogen Oxides and particulates. Domestic gas-fired central heating is thought to be responsible for about 21% of NOx pollution in Islington.
- 10.17 It concludes in this section of their report that in support of Islington's aspirations to improve air quality in the borough, this project will introduce high efficiency, low NOx, gas fired boiler plant to replace the ageing central plant installation. Current flue gas disposal proposals retain the principal of discharging the boiler flue gases above the tallest building in the vicinity, which is Michael Cliffe House.
- 10.18 It is considered that the significant efficiency gains will serve to reduce both heating charges for residents and CO2 emissions. These aims are all in line with Core Strategy policy CS10A.
- 10.19 Furthermore, the renewal of the heating system at Finsbury Estate offers a significant opportunity to future-proof the estate for connection to a district heating network, and to allow future combined heat and power installation at the estate. This would enable the

supply of heat and energy to the wider area, which also strongly matches the aims of CS10A, and so is also supported from this perspective.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposal is welcomed as part of the Islington Council renewal project to upgrade central heating services and proposals have been developed for providing a new community central heating system to serve the estate.
- 11.2 The limited visual harm of the proposal on the host building and the wider area is off-set against the benefits modernising the heating system of the estate and providing a modern and efficient communal central heating system to the Michael Cliffe House and the wider Finsbury Estate.
- 11.3 The design, materials and texture of the proposal subject to appropriate conditions would ensure that the integrity and character of the original concrete façade is retained whilst providing a modern, dignified and attractive appearance that will enhance the building.

### **Conclusion**

- 11.4 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That the grant of planning permission be subject to **conditions** to secure the following:

#### List of Conditions:

1	<p><b>3 Year Consent Period</b></p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p><b>Approved plans list</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Planning supporting documentation RevC, 7306M(50)01,02,06,10,12 RevA, 07,09 RevB, 13.1 Rev, 13.2 RevC</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Materials and design of the screen panelling</b></p> <p>CONDITION: Prior to any superstructure work commencing on site, details of materials of the screening panel hereby approved under drawing 7306M(50)13.2 Rev C, the following shall be submitted to and approved in writing by the Local Planning Authority, the details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Colour of the screen panelling</li> <li>b) Materials of the screen panelling</li> <li>c) Design and detailing of the screen panelling</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p><b>Noise assessment and insulation</b></p> <p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

REASON: To secure an appropriate internal residential environment.
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**List of Informatives:**

1	<b>Positive Statement</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and pre-application discussions were entered into, discussions were also had to secure amended plans during the course of the planning application, the applicant worked in a proactive manner with the Local Planning Authority, taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</p>
2	<b>Noise</b>
	<p>The applicants are advised that anti-vibration mounts should be considered for fixings to the main building structure.</p>

## APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

### 1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### 2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

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#### A) The London Plan 2011 - Spatial Development Strategy for Greater London

##### 1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

##### 3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.5 Quality and design of housing developments

##### 5 London's response to climate change

Policy 5.3 Sustainable design and construction

Policy 5.9 Overheating and cooling

##### 7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.4 Local character

Policy 7.6 Architecture

#### B) Islington Core Strategy 2011

##### Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

##### Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS10 (Sustainable Design)

#### C) Development Management Policies June 2013

##### Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

##### Health and open space

DM6.1 Healthy development

##### Energy and Environmental Standards

DM7.1 Sustainable design and construction

##### Housing

DM3.1 Mix of Housing Sizes

**DM3.2** Existing housing  
**DM3.4** Housing standards  
**DM3.5** Private outdoor space  
**DM3.7** Noise and vibration (residential uses)

**DM7.2** Energy efficiency and carbon reduction in minor schemes  
**DM7.4** Sustainable design standards  
**DM7.5** Heating and cooling

### **3. Designations**

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

### **4. Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

#### **Islington UDP**

- Urban Design Guide SPD
- Inclusive Design in Islington SPD
- Affordable Housing Small Sites SPD
- Contributions SPD
- Environmental Design SPD

#### **London Plan**

- Housing
- Sustainable Design & Construction